

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 17-0424-AB (KK)**

Date: June 1, 2017

Title: ***Damel Jeffries v. Los Angeles Sheriff Department, et al.***

Present: The Honorable **KENLY KIYA KATO**, UNITED STATES MAGISTRATE JUDGE

DEB TAYLOR

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: (In Chambers) Order re Plaintiff's Subpoena [Dkt. 20]

The Court is in receipt of Plaintiff's Subpoena to Produce Documents, Information, or Objects ("Subpoena"). ECF Docket No. ("Dkt.") 20.

Pursuant to Federal Rule of Civil Procedure 45, Plaintiff "must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena." Fed. R. Civ. P. 45. Here, the Subpoena properly requests "sheriffs officers' an[d] custody assistants' names and badge numbers, especially the officers that [were] involved in the incident that took place on May 9, 2016 [at] approximately 7 or 8 in (TTCF/CTC medical housing)." Dkt. 20 at 1. However, the remaining requests – which include, among others, documents, written reports, medical reports, video footage, and physical evidence – are too broad and, therefore, unduly burdensome at this time. Thus, the Court declines to issue Plaintiff's Subpoena.

Plaintiff may submit a motion for issuance of a Rule 45 subpoena duces tecum provided (a) it is limited in scope; (b) supported by clear identification of the documents sought; and (c) supported by a showing that the records are obtainable only through the identified third party. See Davis v. Ramen, No. 1:06-CV-01216-AWI-SKO-PC, 2010 WL 1948560, at *1 (E.D. Cal. 2010). **The Clerk of Court is directed to mail Plaintiff a blank civil subpoena (AO 88B).**

The Court notes Plaintiff's Second Amended Complaint is due on **July 14, 2017**. Plaintiff is explicitly cautioned that failure to timely file a Second Amended Complaint will result in this

action being dismissed without prejudice for failure to state a claim, prosecute and/or obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.